

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-4, 6-7, 9, 18-20 and 22-28 are presently active in this case. Claims 5, 7, 10-17 and 21 were cancelled by previous amendments. The present Amendment amends Claims 1-2, 6-7, 9, 18-19, 23-24, and 27-28 without introducing any new matter.

The December 30, 2009 Office Action rejected Claims 1-4, 6-7, 9, 18-20 and 22-28 under 35 U.S.C. § 103(a) as unpatentable over Walker et al. (U.S. Patent No. 5,794,207, hereinafter “Walker”) in view of Mangin et al. (U.S. Patent No. 6,078,890, hereinafter “Mangin”), in further view of Barrett et al. (U.S. Patent No. 6,029,144, “Barrett”).

In response, Applicants’ independent Claims 1, 18, and 23 are amended to clarify that the business transaction is made between an insurance and a reinsurance business. Some of the dependent claims are amended to reflect these changes. These features find non-limiting support in Applicants’ disclosure as originally filed, for example at page 11, paragraphs [0036]-[0037]. No new matter has been added.

Moreover, independent Claims 1, 18, and 23 are further amended to clarify that the standard processing unit processes information related to a total sum insured and a third party liability. These features find non-limiting support in Applicants’ specification at page 14, paragraphs [0045]-[0046]. No new matter has been added.

In response to the rejection of Claim 1 under 35 U.S.C. § 103(a), in light of the amendments to the independent claims, Applicants respectfully request reconsideration of this rejection and traverse the rejection, as discussed next.

Briefly summarizing, Applicants’ independent Claim 1 is directed to a system for transacting business between an insurance and a reinsurance business. The system includes a server used by the reinsurance business and accessible by the insurance; and a contract

evaluation unit, a standard processing unit, and a non-standard processing unit, the contract evaluation unit and the standard and non-standard processing units included in the server, wherein the standard processing unit is configured to process data by an automatic process, and the non-standard processing unit is configured to process data with human intervention by an additional data input.

Moreover, the contract evaluation unit is configured (i) to receive input data of a reinsurance event from the insurance, (ii) to determine whether the input data is complete and error free in accordance with error validation criteria, , and (iii) to evaluate whether the complete input data has to be further processed by the standard processing unit or the non-standard processing unit, and the complete input data is sent for further processing to the standard processing unit in a case where the contract evaluation unit determines that the complete input data fits a predetermined acceptable range, the predetermined acceptable range being an ideal range of acceptable premiums.

In addition, when the complete input data includes at least a premium from the insurance, the automatic process included in the standard processing unit determines whether a total sum insured of the reinsurance event exceeds a threshold to verify if a local rule applies, and verifies whether a rating engine for third party liability is not advanced enough to allow automatic rating of the reinsurance event.

The pending Office Action rejected the features related to the standard processing unit of Applicants' independent Claim 1 based on the teachings of the reference Barrett, and by making the assumption that Barrett can be properly combined with the reference Walker. (Office Action, p. 4, ll. 7-20.) Without addressing the merits of this contention, Applicants' independent Claim 1 is amended and now requires features that are not taught by the reference Barrett, as next discussed.

Barrett is directed to a compliance-to-policy detection method for checking company

related work expenses provided by employees, that operates on a host system 250, where a policy checker 208 can check various data sources, such as a rules database 402 and a expense entry history 406, to determine whether it is possible that fraud is committed.

(Barrett, Abstract, Fig. 4, col. 6, ll. 6-26.) Regarding the workflow of the policy checker 208, Barrett explains the following:

The first step 602 is to check an expense entry for compliance with the plurality of policy rules. As stated before this is performed by policy checker 208. When a rule fails that requires auditor validation, decision step 604 directs to step 606, where the policy checker 208 logs the rule violation and sends the expense entry, along with a recommendation for action, to the auditor system 256. It should be noted that in the preferred embodiment, the rules are divided into levels and categories with only some rules requiring validation before other rules can be run. Thus, if a rule requiring immediate validation before other rules can be tested against is violated, the expense entry claim is sent immediately to the auditor system 256. If the rule does not require immediate validation, rule testing continues and the expense entry will be sent to the auditor system 256 when all rules have been run. At the auditor system 256, the expense entry is guided through an validation procedure by audit workflow application 216. Audit workflow application 216 assigns the failed expense entry to a human auditor for audit and validation.

(Barrett, from col. 8, l. 51, to col. 9, l. 5.) Some examples of policy rules that are checked by policy checker 208 are given in Barrett at columns 6-7, for example special rules of a company for business expenses, tax rules, spouse rules, etc. (Barrett, col. 7, ll. 35-48.) However, Barrett fails to teach that the standard processing unit determines whether a total sum insured of the reinsurance event exceeds a threshold to verify if a local rule applies, and verifies whether a rating engine for third party liability is not advanced enough to allow automatic rating of the reinsurance event, as required by Applicants' independent Claim 1. As a fact, Barrett is silent on such a feature.

The reference Walker, used by the pending Office Action to form the 35 U.S.C. § 103(a) rejection, fails to remedy the deficiencies of Barrett, even if we assume that the combination is proper.

Walker is directed to a computerized method of performing a bilateral buyer-driven

commerce, where a potential buyer can communicate binding purchase offers 100 (conditional purchase offers, “CPO”) to potential sellers. (Walker, Abstract, Fig. 1, col. 8, ll. 42-65.) Walker explains that a central controller 200 has communication interfaces to buyers 400 and sellers 300, and manages a data storage device 250 that will store CPOs made by buyers. (Walker, Fig. 2, col. 12, ll. 8-34 and ll. 54-67.) However, Walker fails to teach all the features of Applicants’ independent Claim 1, related to the standard processing unit.

Moreover, the reference Mangin, used by the pending Office Action to form the 35 U.S.C. § 103(a) rejection, fails to remedy the deficiencies of Walker, even if we assume that the combination is proper. Mangin is directed to an automated health care rate renewal method, where an electronic form is filled out by a user, that has locked embedded formulas to perform certain calculations to determine a health care package. (Mangin, Fig. 2, Abstract.) Mangin explains that the electronic form can include programming that analyzes the form to determine whether the provider failed to fully input all requested data into the form, and an alert can be provided to return the form to the user. (Mangin, col. 4, ll. 1-11.) However, Mangin, just like Walker and Barrett, fails to teach the features of the standard processing unit, as required by Applicants’ amended independent Claim 1.

Therefore, even if the combination of Walker, Mangin and Barrett is assumed to be proper, the cited passages of the combination fails to teach every element of Applicants’ amended independent Claim 1. Accordingly, Applicants respectfully traverse, and request reconsideration of this rejection based on these references.

It has to be noted that Walker teaches different features comparing with Applicants’ independent Claim 1, since the system of Walker is trading the offer as a buyer to different sellers, while the features of Applicants’ Claim 1 allow to negotiate the terms between a concrete seller and a buyer, starting on seller’s side. Therefore, it is to doubt, that combining Walker with Mangin and/or Barrett does lead a man skilled in the art to the features of

Applicants' Claim 1.

Independent Claims 18 and 23 recite features that are analogous to the features argued above with respect to independent Claim 1, but directed to different statutory classes. Accordingly, for the reasons stated above for the patentability of Claim 1, Applicants respectfully submit that the rejections of Claims 18 and 23, and the rejections of all associated dependent claims, are also believed to be overcome in view of the arguments regarding independent Claim 1.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-4, 6-7, 9, 18-20 and 22-28 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

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